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Date of Deposit: March 17, 2004
Docket No. M0656.70070US00

DOCKET NO.: M0656.70070US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liu et al.
Serial No: 09/982,548
Confirmation. No.: 7782
Filed: October 18, 2001
For: METHODS AND PRODUCTS RELATED TO PULMONARY
DELIVERY OF POLYSACCHARIDES
Examiner: McIntosh III, Traviss C.
Art Unit: 1623

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

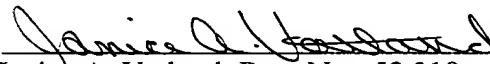
Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Check in the amount of \$180.00
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed. If a further fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Liu et al., Applicant

By: 
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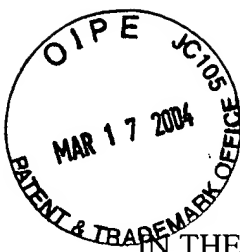
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STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

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180.00 OP

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

| <u>Docket No.</u> | <u>Serial No.</u> | <u>Filing Date</u> | <u>Inventor(s)</u> |
|-------------------|-------------------|--------------------|---------------------|
| M0656.70055WO00 | PCT/US00/10990 | 04/24/2000 | Venkataraman et al. |
| M0656.70076US00 | 10/108,195 | 03/27/2002 | Kwan et al. |
| M0656.70086US00 | 10/291,337 | 11/08/2002 | Liu et al. |
| M0656.70089US00 | 10/356,349 | 01/31/2003 | Venkataraman et al. |
| M0656.70089US01 | 10/760,133 | 01/16/2004 | Venkataraman et al. |
| M0656.70089US02 | 10/759,520 | 01/16/2004 | Venkataraman et al. |
| M0656.70092US00 | 10/429,921 | 05/05/2003 | Myette et al. |
| M0656.70094US00 | 10/441,970 | 05/20/2003 | Sasisekharan et al. |
| M0656.70095US00 | 10/454,816 | 06/03/2003 | Pojasek et al. |
| M0656.70096US00 | 10/753,761 | 01/07/2004 | Sasisekharan et al. |

The Applicant would like to bring to the Examiner's attention the enclosed search reports from the corresponding International Application.

| <u>Docket No.</u> | <u>Serial No.</u> | <u>Mailing Date</u> | <u>Type of Report</u> |
|-------------------|-------------------|---------------------|--|
| M0656.70070WO00 | PCT/US01/32444 | August 20, 2002 | International Search Report |
| M0656.70070WO00 | PCT/US01/32444 | March 6, 2003 | Written Opinion |
| M0656.70070WO00 | PCT/US01/32444 | December 17, 2003 | International Preliminary Examination Report |

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

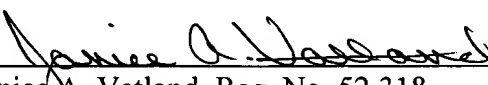
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Liu et al., *Applicant*

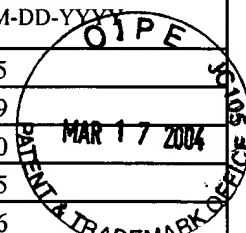
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| | | | | GROUP ART UNIT: 1623 | | EXAMINER: McIntosh III, Travis C | |
| Sheet | 1 | of | 4 | | | | |

U.S. PATENT DOCUMENTS

| Examiner's Initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or of issue of Cited Document MM-DD-YYYY |
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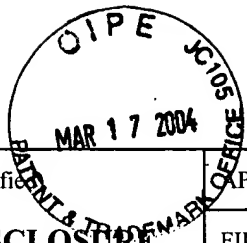


FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document (not necessary) | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
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| EXAMINER | DATE CONSIDERED |
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

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| | B28 | WO | 98/04902 | A1 | The State of Oregon | 02-05-1998 | |

OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|------------------------|------------|---|----------------------|
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